



December 14, 2007

Dear San Mateo County Municipality:

Subject: Announcement of Availability of Competitive Demonstration Project Grants for Municipalities to Construct Street and Parking Lot Stormwater Best Management Practices

The City/County Association of Governments (C/CAG) of San Mateo County announces the availability of competitive grant funds to construct stormwater best management practices for demonstration projects associated with streets and parking lots. One of the goals of the demonstration projects is to increase understanding and support among local agency staff, the building community, and public for using and maintaining effective stormwater pollution prevention, treatment, and flow control best management practices associated with streets and parking lots. It is C/CAG's intent that the demonstration projects selected for funding represent a variety of different best management practices that are appropriate for different site conditions in San Mateo County. Completed "Application for Competitive Demonstration Project Grant" (Attachment A) may be submitted by mail, email, or hand delivery. If paper copies of the completed application(s) are submitted, include five copies each with the location map attached. Completed applications must be submitted by **noon on February 15, 2008 to:**

Mr. Matt Fabry (email: mfabry@ci.brisbane.ca.us)
SMCWPPP Coordinator
City Hall – Public Works Department
50 Park Place
Brisbane, CA 94005

Eligible Projects:

Only San Mateo County and cities that are located in San Mateo County are eligible to apply for these grant funds. The projects funded are for the planning, design, and construction of capital projects that showcase the use of stormwater best management practices for new or retrofitted street and parking lot projects. All funded projects must result in the completed construction of the demonstration project within two years, unless an exception is made for a particular project. The maintenance of an existing or new project is ineligible for funding.

Funds Available:

C/CAG has authorized the use of up to \$900,000 of Vehicle Registration fees that were collected as part of legislation enacted in 2004 (AB 1546 - Simitian) for vehicle related stormwater mitigation.

The selection of grant projects to fund will be competitive based on the selection criteria and scoring system contained in Attachment B. The grant amounts will be a minimum of \$50,000 up to a maximum of \$250,000 per project. While the grants do not require a local contribution, applications that are able to leverage funding from other grants and sources of funding will be considered more cost-effective than ones that do not. On this basis they would receive a higher score for one of the selection criterion.

Possible Future Grants

It is uncertain whether there will be a future round of grant funds using Vehicle Registration fees collected between July 2007 and December 2008 when authorization to collect these fees will end. The Regional Water Quality Control Board's anticipated adoption of a new municipal regional stormwater permit in 2008 may affect future decisions about how Vehicle Registration fees are used.

Application Packet

The enclosed application packet includes the following materials:

Attachment A	Application for Competitive Demonstration Project Grant for Sustainable, Green Streets and Parking Lots	Required Form
Attachment B	Requirements and Selection Criteria for Competitive Demonstration Project Grants	Information Sheet
Attachment C	Call for Projects Workshop Flyer	Information Sheet
Attachment D	C/CAG's Funding Agreement	Required Agreement
Attachment E	Goals and Objectives of Sustainable, Green Streets and Parking Lots Program	Information Sheet

Schedule:

December 14, 2007	Call for projects released
December 19, 2007	SMCWPPP's Call for Projects Workshop (Attachment C) will be held starting at 10:00 am at the Green Building Exchange in Redwood City (350 Main Street)
February 15, 2008	Completed applications (Attachment A) due by noon on this date
March 13, 2008	C/CAG considers approving grant applications recommended by SMCWPPP
March/April 2008	Selected grant applicants sign agreements with C/CAG and begin expending funds on projects

If you have any questions contact, Fred Jarvis at (510) 832-2852 ext. 111 and email fejarvis@eoainc.com or me at (415) 508-2134 and email mfabry@ci.brisbane.ca.us.

Sincerely,



Matthew Fabry
Program Coordinator
San Mateo Countywide Clean Water Program

ATTACHMENT A

Application for Competitive Demonstration Project Grant for Sustainable, Green Streets and Parking Lots

Prior to completing this application, the municipal applicant should review and be familiar with “Requirements and Selection Criteria for Competitive Demonstration Projects” (Attachment B). Municipal staff who complete this grant application agree to meet all the requirements contained in Attachment B including the requirement for the municipality to pay for the long-term maintenance of any demonstration project funded by a Vehicle Registration Fee (AB 1546) grant. The San Mateo Countywide Water Pollution Prevention Program retains the right to reject any and all grant applications and to work with grant applicants to modify applications in order to maximize the beneficial use of the \$900,000 of currently available funds. Completed applications must be submitted by noon on *February 15, 2008* to Matt Fabry (mfabry@ci.brisbane.ca.us) at City Hall – Public Works Department, 50 Park Place, Brisbane, CA. 94005. Hard copy or electronic submittals are acceptable. If paper copies are submitted, five copies of the completed application (with location map attached) must be submitted.

General Information	
Municipality applying for grant funds:	
Total amount requested: <i>(Minimum grant amount is \$50,000 and maximum amount of \$250,000 per project)</i>	\$
Address <u>and</u> APN of demonstration project:	
Location map attached showing the project and nearby vicinity <input type="checkbox"/> Yes	
Description of Demonstration Project	
What currently exists at the proposed project location?	
How will the existing site be retrofitted as a demonstration project or redeveloped as a demonstration project?	

Municipality Applying for Grant Funds: _____

Application for Competitive Demonstration Project Grant

<p>What stormwater pollution prevention, treatment, and flow duration control best management practices (BMPs) will be used in the demonstration project <u>and/or</u> how well will the project alleviate significant adverse impacts to water quality or fish passage created by a street crossing of a creek?</p>	
<p>Why are the BMPs selected appropriate given the nature of the project and site constraints?</p>	
<p>How will the project reduce the amount of trash and litter that gets into the storm drain and local waterways?</p>	
<p>How will the project be designed to satisfy other municipal community objectives in order to achieve an integrated and attractive project?</p>	
NPDES Permit Requirements	
<p>Total amount of impervious surface area that would be created and/or replaced by the demonstration project:</p>	<p>Amount of surface area whose stormwater runoff would receive treatment:</p>
<p>Would the demonstration project trigger NPDES permit Provision C.3.d requirements to treat stormwater?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Would the demonstration project trigger the NPDES permit's hydromodification management requirements?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Does stormwater from the proposed demonstration project site flow directly into an impaired water body (San Francisco Bay and beaches, lagoons, and creeks listed as impaired on the State Water Resources Control Board's List of Water Quality Limited Segments http://www.waterboards.ca.gov/tmdl/303d_lists2006.html) from a property that is adjacent to the impaired water body?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	

Municipality Applying for Grant Funds: _____

Application for Competitive Demonstration Project Grant

Proposed Budget and Non-Grant Funding		
<p>Provide an estimated total budget and budget breakdown for how the grant funds would be used (include specific amount budgeted, if any, to pay for assistance your municipality will need from SMCWPPP's sustainable, green streets and parking lot consultant, Nevue Ngan Associates/Sherwood Design Engineers):</p>		
<p>Describe the source and budget breakdown amounts for non-grant funds, if any, that would be used for the demonstration project:</p>		
<p>If non-grant funds will be used for the demonstration project, how certain is the availability of non-grant funds? When would non-grant funds become available?</p>		
Schedule		
<p>Provide the estimated schedule for each of the following demonstration project activities:</p>		
Activity	Time Period of Activity	Completion Date
Completing environmental review:		
Obtaining permits:		
Developing plans (including maintenance plan):		
Constructing project:		
Completing construction:		

Municipality Applying for Grant Funds: _____

Application for Competitive Demonstration Project Grant

Educational Aspects of Proposed Project
Describe the demonstration project's educational features and the community education techniques that would be used:
Please estimate how many people (i.e., public, municipal staff, builders, building industry consultants) each month would be expected to pass through or come in close enough proximity to read signs describing the demonstration project?
Safety Features
How would the project be designed to be safe for drivers and pedestrians and not create a habitat for mosquitoes?
Assistance Requested
What assistance, if any, does the municipality request from SMCWPPP's sustainable, green streets and parking lot project consultant? Examples of possible assistance include: review of designs, develop designs, assist with demonstration project construction, and/or assist with maintenance plans. (Any grant-funded assistance must be included in the requested grant amount under "Proposed Budget and Non-Grant Funding" section).
Option for Conceptual Design
If your project would be a small-scale project (confined to a specific site, intersection, or block face), would your municipality be interested in having SMCWPPP's sustainable, green streets and parking lot consultant, Nevue Ngan Associates/Sherwood Design Engineers, prepare a conceptual design as part of the SMCWPPP's Guidebook? The base information your municipality would need to provide for conceptual design is: site photos, topography, utility locations, site survey, etc. The expense of preparing the conceptual design would be covered by SMCWPPP under its budget for preparing the Guidebook.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable because project will not be small-scale

Municipality Applying for Grant Funds:_____

Application for Competitive Demonstration Project Grant

If a conceptual design was created for the project, how would it be used?
Contact Information
Grant application contact person:
Phone number:
Email address:
Mailing address:

I attest that, to the best of my knowledge, all information provided in this application and in conjunction with this application is accurate and complete.	
Name: (Please print)	Title: Department Director
Signature:	Date:

ATTACHMENT B

Requirements and Selection Criteria for Competitive Demonstration Project Grants

Selection Criteria

If the funding requested for demonstration projects exceeds the amount available, SMCWPPP will use the following criteria and scoring system to select projects for funding:

Selection Criteria	Points
1. How well the project will demonstrate the use of sustainable, green street or parking lot best management practices (BMPs) for vehicle-associated stormwater pollution prevention, treatment, and flow duration control and/or how well it will alleviate significant adverse impacts to water quality or fish passage created by a street crossing of a creek. It will be desirable for projects to maximize opportunities to use BMPs, use appropriate BMPs given the nature of the project and site constraints, and satisfy multiple community objectives to achieve an integrated and attractive project.	40
2. The amount of visibility the project will have as an educational opportunity for the public, municipal staff, builders, and building industry consultants. Projects must have educational benefits that demonstrate how BMPs: <ul style="list-style-type: none"> ○ prevent and reduce stormwater pollution, ○ integrate with street and parking lot uses, ○ are attractive, ○ are cost-effective, and ○ are easy to maintain. <p>Projects that are more visible and educational will be selected over ones that have a lower visibility and offer fewer educational opportunities.</p>	25
3. Projects that are more cost-effective will be preferred over ones that are less cost-effective. Projects that leverage funding from other grants and sources of funding would be considered more cost-effective than ones that do not. <ul style="list-style-type: none"> ○ amount of municipal staff time that would be provided by the local municipality without being billed to the grant ○ amount of other grant funds (non-Vehicle Registration fee, AB 1546 grants) and/or amount of other funding sources that will be used to plan, obtain permits, design, and construct the demonstration project ○ the cost of the demonstration project relative to the size of the area benefiting from the stormwater best management practices showcased ○ the cost of the demonstration project relative to how useful the demonstration project would be as an example for others 	20
4. The project should demonstrate how it will creatively address concerns, if any, of public safety officials about emergency response times, use of construction materials that they may be unfamiliar with, or other concerns.	10
5. Points will be awarded if the demonstration project is located on property that is directly adjacent to an impaired water body and treated stormwater from the demonstration project will flow directly into this impaired water body.	5
Total Possible Points	100

Municipality Applying for Grant Funds:_____

Application for Competitive Demonstration Project Grant

Additional Selection Considerations

If the scores of two or more potential projects are within 10 points of one another, the following factors will be considered in making the final selection of projects in order to assure a diversity of projects are funded in different locations around the county and that at least one or more projects are constructed in about one year:

- a. Projects will be selected, as possible, to represent a diversity of different types of new construction and retrofit situations within San Mateo County and a variety of BMP technologies. The types of demonstration projects selected should be representative of the types of situations anticipated to be encountered in future San Mateo County street and parking lot development and retrofit projects.
- b. Projects will be selected to represent a geographical distribution, as possible, around the county.
- c. How readily the demonstration projects could be constructed. It is desirable to have at least one or more demonstration projects constructed in about one year. This objective is balanced with the recognition that excellent, proposed demonstration projects in sensitive areas or with important constraints may require longer to complete planning, permitting and construction.

Requirements

To be eligible for funding, a demonstration project must meet the requirements contained in AB 1546 (Simitian 2003-2004 session), which are summarized as follows:

The project shall directly address the negative impacts on creeks, streams, bays, and/or the ocean caused by motor vehicles and the infrastructure supporting motor vehicle travel. The project shall meet the requirements of the municipal stormwater National Pollutant Discharge Elimination System permit. The demonstration projects must bear a relationship or benefit to the motor vehicles paying the fees allowed by AB 1546.

In addition to the AB 1546 requirements, the following requirements must be met:

1. The municipal project proponent must submit a completed application by noon on February 15, 2008 to Matt Fabry at the address shown on the application. The completed application may be submitted as a hard copy or electronically. Five hard copies of the completed application must be submitted if the application is not submitted electronically.
2. The project must be sponsored by a San Mateo County municipality and located within the county.
3. One application must be submitted for each project. A municipality may submit more than one completed application, but the chances of receiving funding will be affected by the number of other municipalities submitting applications.
4. The grant funds may only be used to reimburse a municipality for demonstration project costs incurred following the date of execution of a Funding Agreement with C/CAG.
5. The project must either:
 - a. Demonstrate the use of attractive, green and sustainable landscape-based stormwater pollution prevention, treatment, and/or flow control BMPs as part of new or retrofitted street and parking lot projects; or

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Application for Competitive Demonstration Project Grant

- b. Retrofit or replace an existing street crossing of a creek in order to eliminate adverse effects on water quality or improve fish passage.
6. Any flow control BMPs used as part of the project shall be designed using the Bay Area Hydrology Model.
7. Funding will be limited to the planning, permitting, design and construction of stormwater pollution prevention, treatment, and flow duration control BMPs associated with the project or to the cost of the features needed to eliminate adverse effects on water quality or fish passage caused by the street crossing of a creek. All funded projects must result in the completed construction of the demonstration project.
8. A municipality does not need to provide matching funds to obtain a grant (although this will improve the scoring of the project's cost effectiveness, selection criterion no. 3), but a municipality must be committed to paying for the short and long-term maintenance of the demonstration project. In addition, most projects would require additional funding to construct portions of the project that are not related to stormwater pollution prevention, treatment, and flow duration control.
9. Constructed projects must be for long-term use. If a project is significantly and adversely modified or replaced following its construction, the municipality will be responsible for constructing and maintaining an equivalent demonstration project to the extent this is reasonable and feasible.
10. The municipality must prepare a written maintenance plan for the project prior to its completion and implement this maintenance plan. The maintenance plan must meet the requirements of the municipal stormwater NPDES permit, which may change in the future.
11. The project shall be designed and maintained to be safe for drivers, pedestrians and other users. It shall be designed and maintained to avoid creating a habitat for mosquitoes or other nuisances.
12. The construction of the demonstration project shall be completed within two years of approval for receipt of the grant funds. If a project will require more than two years following approval to complete, SMCWPPP will need to decide on a case by case basis whether to authorize the use of the grant funds for a longer time period.
13. The municipality has the option of including in its grant application a budget for the use of SMCWPPP's sustainable, green streets and parking lot consultant. Along with the option of providing peer review, municipalities may also independently contract with the Nevue Ngan Associates/Sherwood Design Engineers to provide full drawings for specific projects. Funds may be included in the budget for SMCWPPP's consultant to assist as follows:

Design Phase: Provide general peer review at various stages of design development. Provide recommendations on layout, grading, planting, stormwater conveyance methods, facility sizing, site circulation, and overall integration of stormwater management within the project. Estimated cost range between \$2,000 - \$15,000

Construction Phase: Provide direct construction administration support, assist municipalities in identifying qualified contractors, and train and/or assist municipal inspection staff with construction issues with green street and parking lot projects. Estimated cost range between \$5,000 - \$40,000.

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Maintenance Plan: Provide support to staff and consultants in developing the demonstration project's written, long-term operation and maintenance plan. Estimated cost range between \$1,000 - \$5,000.

Municipalities that are interested in this option should discuss these plans with Kevin Robert Perry from Nevue Ngan Associates (phone [503] 239-0600 and email kevin@nevuengan.com) prior to completing these portions of the grant application

14. The municipality shall allow the use of the stormwater BMPs' plans and specifications in SMCWPPP's streets and parking lots stormwater design standards guidebook including updates and amendments to the guidebook.
15. The municipality shall allow the project's effectiveness to be evaluated by a third party in order to improve the selection, design, construction, and maintenance of these types of BMPs. This may include collecting data including chemical monitoring information to help assess the effectiveness of the BMP. The municipality will not be responsible for any expenses associated with the implementation of effectiveness assessments.
16. The municipality shall allow SMCWPPP to take groups on tours of the demonstration site and reference the site in demonstration and educational materials. The municipality shall acknowledge City County Association of Governments of San Mateo County and SMCWPPP on any educational and promotional material it prepares about the demonstration project as the source of grant funds.
17. The municipality must be willing to enter into an agreement with the City/County Association of Governments of San Mateo County that describes the work that will be completed under the grant and the method and requirements for receiving the grant funds.

Call for Projects Workshop – Sustainable, Green Streets and Parking Lots Grant-Funded, BMP Demonstration Projects







Date and Time: December 19, 2007 – 10:00 am to Noon

Location: Green Building Exchange
305 Main Street, Redwood City, CA 94063

Sponsored by the San Mateo Countywide Water Pollution Prevention Program

Workshop Highlights:

Learn how your municipality may apply for a competitive, demonstration project grant to construct stormwater best management practices for streets and/or parking lots

-  Meet SMCWPPP's new, consultants who will be preparing four conceptual designs as part of an upcoming green, street and parking lot guidance manual
-  Review the grant application form
-  Obtain information on the competitive grant selection factors
-  Have your questions answered

RSVP

Please complete and submit the RSVP form on the next page to let us know that you will be attending. If you have any questions, contact Fred Jarvis at (510) 832-2852 ext. 111. We look forward to seeing you at the workshop!

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Call for Projects Workshop

Go green!

Learn how to apply for up to \$250,000 in competitive grant funds!!

Green Streets and Parking Lots BMP Demonstration Projects

Wednesday, December 19th, 2007 – 10:00 am to Noon

Who Should Attend:

- ✓ Public Works Department heads, managers, or engineers
- ✓ Municipal planning staff
- ✓ Municipal staff interested in finding out how to apply for these grants
- ✓ Municipal staff who need to decide whether to apply

Please RSVP to Fred Jarvis, EOA, Inc. by email (fejarvis@eoainc.com), or by fax: (510) 832-2856, ***no later than 12:00 Noon December 14, 2007.*** For additional information, contact Fred at (510) 832-2852 ext. 111 or email.

Agency/Affiliation: _____

Name/Title: _____

Address: _____

Phone: _____ Fax: _____ E-mail: _____

Please pass this flyer along to appropriate staff within your organization, and don't forget to sign up yourself! You will be sent a confirmation, including an agenda and directions, prior to the workshop.

December 14, 2007

ATTACHMENT D

**FUNDING AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS
AND THE CITY OF xxxx [Or COUNTY OF SAN MATEO]**

This Agreement entered this ____ Day of ____ **2008**, by and between the CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY, a joint powers agency formed for the purpose of preparation, adoption and monitoring of a variety of county-wide state-mandated plans, hereinafter called "C/CAG" and the City of xxx, hereinafter called "CITY" [or County of San Mateo].

W I T N E S S E T H

WHEREAS, Funded through Vehicle Registration fees allowed by Assembly Bill 1546 (2003-2004 session), C/CAG has established a Sustainable, Green Streets and Parking Lots Project that consists, in part, of awarding competitive grants to municipalities in San Mateo County; and

WHEREAS, The purpose of the grant funds is to construct street and parking lot demonstration projects that showcase the use of stormwater pollution prevention, treatment, and flow control best management practices appropriate for different conditions found in San Mateo County; and

WHEREAS, The C/CAG Board has authorized its Chairperson to execute funding agreements with municipalities for projects selected by the San Mateo Countywide Clean Water Program's Technical Advisory Committee as recommended by its project selection work group; and

WHEREAS, The San Mateo Countywide Clean Water Program's Technical Advisory Committee has agreed that the City of _____'s [or County of San Mateo's] proposed demonstration project meets the requirements of Assembly Bill 1546 and should receive grant funding based on its score using the selection criteria contained in the Announcement of Availability of Competitive Demonstration Project Grants; and

WHEREAS, The City of _____ [or County of San Mateo] has until March 31, 2010 [or alternative date] to complete the construction of its demonstration project; and

NOW, THEREFORE, IT IS HEREBY AGREED by the parties as follows:

1. **Services to be provided by CITY.** In consideration of the payments hereinafter set forth, the CITY shall provide services in accordance with the terms, conditions and specifications set forth herein and in Exhibit A attached hereto and by this reference made a part hereof.
2. **Payments.** In consideration of the services rendered in accordance with all terms, conditions and specifications set forth herein and in Exhibit A, C/CAG shall make progress payments to CITY for work completed as described in Exhibit A and the total amount will not to exceed xxxxxx (\$xxxxx).

3. **Relationship of the Parties.** It is understood that this is an Agreement by and between Independent Contractor(s) and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of Independent Contractor.
4. **Non-Assignability.** CITY shall not assign this Agreement or any portion thereof to a third party without the prior written consent of C/CAG, and any attempted assignment without such prior written consent in violation of this Section automatically shall terminate this Agreement.
5. **Contract Term.** This Agreement shall be in effect as of _____ and shall terminate on _____; provided, however, the C/CAG Chairperson may terminate this Agreement at any time for any reason by providing 30 days' notice to CITY. Termination to be effective on the date specified in the notice. In the event of termination under this paragraph, CITY shall be paid for all services provided to the date of termination.
6. **Hold Harmless/ Indemnity.** CITY shall indemnify and save harmless C/CAG from all claims, suits or actions resulting from the performance by CITY of its duties under this Agreement.

The duty of the parties to indemnify and save harmless as set forth herein, shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

7. **Insurance.** CITY or its subcontractors performing the services on behalf of CITY shall not commence work under this Agreement until all Insurance required under this section has been obtained. CITY shall furnish the C/CAG Staff with Certificates of Insurance evidencing the required coverage and there shall be a specific contractual liability endorsement extending the CITY's coverage to include the contractual liability assumed by CITY pursuant to this Agreement. These Certificates shall specify or be endorsed to provide that thirty (30) days notice must be given, in writing, to C/CAG of any pending change in the limits of liability or of non-renewal, cancellation, or modification of the policy.

Workers' Compensation and Employer Liability Insurance: the CITY shall have in effect, during the entire life of this Agreement, Workers' Compensation and Employer Liability Insurance providing full statutory coverage.

Liability Insurance: CITY shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect CITY, its employees, officers and agents while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all operations under this Agreement, whether such operations be by CITY or by any subcontractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than \$1,000,000 unless another amount is specified below and shows approval by C/CAG Staff.

Required insurance shall include:

	Required Amount	Approval by C/CAG if Under \$1,000,000
a. Comprehensive General Liability	\$1,000,000	_____
b. Workers' Compensation	Statutory	_____

C/CAG and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to C/CAG, its officers, agents, employees and servants shall be primary insurance to the full limits of liability of the policy, and that if C/CAG, or its officers and employees have other insurance against a loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, the C/CAG Chairperson, at his/her option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

8. **Access to Records.** C/CAG, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of CITY which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions. CITY shall maintain all required records for three years after C/CAG makes final payments and all other pending matters are closed.
9. **Merger Clause.** This Agreement, including Exhibit A attached hereto and incorporated herein by reference, constitutes the sole agreement of the parties hereto with regard to the matters covered in this Agreement, and correctly states the rights, duties and obligations of each party as of the document's date. Any prior agreement, promises, negotiations or representations between the parties not expressly stated in this Agreement are not binding. All subsequent modifications shall be in writing and signed by the C/CAG Chairperson. In the event of a conflict between the terms, conditions or specifications set forth herein and those in Exhibit A attached hereto, the terms, conditions or specifications set forth herein shall prevail.
10. **Governing Law.** This Agreement shall be governed by the laws of the State of California and any suit or action initiated by either party shall be brought in the County of San Mateo, California.

IN WITNESS WHEREOF, the parties hereto have affixed their hands on the day and year first above written.

City of XXXX

By _____

Date

xxxxx City Legal Counsel

By _____

City/County Association of Governments (C/CAG)

By _____

Deborah C. Gordon
C/CAG Chair

Date

C/CAG Legal Counsel

By _____

Miruni Soosaipillai, C/CAG Counsel

ATTACHMENT E

Goals and Objectives of Sustainable, Green Streets and Parking Lots Program

Goals:

1. Outreach/Promotion:

- a. Encourage and generate support for the widespread use in San Mateo County of stormwater pollution prevention, treatment, and flow control BMPs that are well suited for use with streets and parking lots.
- b. Support retrofitting of street culverts and bridges where these structures are adversely affecting water quality and beneficial uses, such as blocking fish passage.
- c. Complete visible projects that successfully demonstrate the benefits of having a vehicle fee for stormwater management.

2. Education: Increase understanding and support among local agency staff, private builders, consultants, and the public for using and maintaining effective, stormwater pollution prevention, treatment, and flow control BMPs associated with streets and parking lots.

Objectives:

1. Outreach/Promotion:

- a. Help to implement local, street and parking lot projects that demonstrate the effective use and aesthetic benefits of landscape-based stormwater pollution prevention, treatment, and flow control BMPs.
- b. Increase the understanding and use of culvert and bridge designs that minimize adverse impacts to water quality and support fish passage at locations where streets cross over creeks.

2. Education:

- a. Provide information to municipal staff and private builders about effective plans and specifications for landscape-based stormwater pollution prevention, treatment, and flow control BMPs.
 - i. Enhance the Program's C.3 Stormwater Technical Guidance manual with plans and specifications for incorporating stormwater pollution prevention, treatment, and flow control BMPs for new and retrofitted street and parking lot projects.
 - ii. Where feasible, collect information regarding BMP effectiveness in demonstration projects.
- b. Provide training to municipal staff, builders, and consultants about BMPs that are well suited for use with streets and parking lots under conditions found in San Mateo County. This will include providing training on the BMPs' plans and specifications that will be contained in amendments to the C.3 Stormwater Technical Guidance.